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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Jacques Defaye

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466 7590 06/16/2009

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EXAMINER

BLAND, LAYLA D

ART UNIT

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1623

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DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Advisory Action

This office action is in response to Applicant's proposed amendment and response after FINAL filed on May 18, 2009.

Applicant's proposed amended does not place the application in condition for allowance for the following reason. Proposed amended claims 30 and 34 recite the limitation "multiplication element with several branchings comprising tris(2-hydroxymethyl)methyl radical." As was set forth in the final office action dated January 16, 2009, "comprising" is open language and the structure of a multiplication element which "comprises" tris(2-hydroxymethyl)methyl radical is open-ended. Thus, the skilled artisan would not be aware of the metes and bounds of the claims. The specification and claims are originally filed provide support for biorecognition elements which are amino acid derivatives, peptides, monosaccharides, oligosaccharides, multiplication elements which comprise glucidic groups, or visualization probes. It is also unclear whether underivatized TRIS, without glucidic groups, could be considered a biorecognition element based on the description of "biorecognition element" given in the specification.

Further, if the multiplication element with several branchings comprising tris(2-hydroxymethyl)methyl radical" was interpreted to be an underivatized radical, the limitation could be considered new matter. The specification supports "derivatives" of TRIS (page 6), particularly those comprising saccharides (pages 8 and 9), but support for underivatized TRIS could not be located by the examiner.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to LAYLA BLAND whose telephone number is (571)272-9572. The examiner can normally be reached on Monday - Friday, 7:00 - 3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anna Jiang can be reached on (571) 272-0627. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Layla Bland/
Examiner, Art Unit 1623

/Shaojia Anna Jiang/
Supervisory Patent Examiner
Art Unit 1623